

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO

IN RE:

RAMON A. MONTANEZ MARTINEZ
ZORAIDA ESQUILIN RODRIGUEZ
DEBTOR(S)

CASE NO 11-10531-BKT

CHAPTER 13

NOTICE OF FILING OF AMENDED CHAPTER 13 PLAN
AND CERTIFICATE OF SERVICE

TO THE HONORABLE COURT:

NOW COME, RAMON A. MONTANEZ MARTINEZ and ZORAIDA ESQUILIN RODRIGUEZ, through the undersigned attorney, and very respectfully state and pray as follows:

1. Debtors are hereby submitting an amended Plan dated January 31, 2012, herewith and attached to this motion.

2. This amended Chapter 13 Plan is filed to increase the Plan base to cure the "insufficiently funded".

I CERTIFY that on this same date a copy of this notice was sent via electronically with the Clerk of the Court using CM/ECF systems which will send notifications of such to the Chapter 13 Trustee; and also certify that I have mailed by United States Postal Service copy of this motion to the following non CM/ECF participants: debtors, Ramon A. Montanez Martinez and Zoraida Esquilin Rodriguez; and to all creditors and parties in interest in the present case.

RESPECTFULLY SUBMITTED. In San Juan, Puerto Rico, this 31st day of January, 2012.

/s/ Roberto Figueroa-Carrasquillo

USDC #203614

ATTORNEY FOR PETITIONERS

PO BOX 193677

SAN JUAN PR 00919-3677

TEL NO (787) 744-7699 FAX 746-5294

EMAIL: rfigueroa@rfclawpr.com

United States Bankruptcy Court
District of Puerto Rico

IN RE:

Case No. 11-10531-13

MONTANEZ MARTINEZ, RAMON ANTONIO & ESQUILIN RODRIGUEZ, ZORAIDA

Chapter 13

Debtor(s)

CHAPTER 13 PAYMENT PLAN

1. The future earnings of the Debtor(s) are submitted to the supervision and control of the Trustee and the Debtor(s) shall make payments to the Trustee ☒ directly ☐ by payroll deductions as hereinafter provided in the PAYMENT PLAN SCHEDULE.
2. The Trustee shall distribute the funds so received as hereinafter provided in the DISBURSEMENT SCHEDULE.

PLAN DATED: _____

☐ PRE ☐ POST-CONFIRMATION

☒ AMENDED PLAN DATED: 1/31/2012

Filed by: ☒ Debtor ☐ Trustee ☐ Other

I. PAYMENT PLAN SCHEDULE

\$ 400.00 x 12 = \$ 4,800.00
 \$ 580.00 x 48 = \$ 27,840.00
 \$ _____ x _____ = \$ _____
 \$ _____ x _____ = \$ _____
 \$ _____ x _____ = \$ _____

TOTAL: \$ 32,640.00

Additional Payments:

\$ 11,020.00 to be paid as a LUMP SUM
 within 18 months with proceeds to come from:

☐ Sale of Property identified as follows:

☒ Other:

Claim listed in Schedule B.

Periodic Payments to be made other than, and in
 addition to the above:

\$ _____ x _____ = \$ _____

PROPOSED BASE: \$ 43,660.00

III. ATTORNEY'S FEES
(Treated as § 507 Priorities)

Outstanding balance as per Rule 2016(b) Fee
 Disclosure Statement: \$ 2,881.00

Signed: /s/ RAMON ANTONIO MONTANEZ MARTI
 Debtor

/s/ ZORAIDA ESQUILIN RODRIGUEZ
 Joint Debtor

II. DISBURSEMENT SCHEDULE

A. ADEQUATE PROTECTION PAYMENTS OR \$ _____

B. SECURED CLAIMS:

☐ Debtor represents no secured claims.

☒ Creditors having secured claims will retain their liens and shall be paid as follows:

1. ☒ Trustee pays secured ARREARS:

Cr. DORAL FINANCIAL Cr. ORIENTAL BANK & Cr.
 # 8930070015071 # 61010010036791 # _____
 \$ 4,304.00 \$ 825.00 \$ _____

2. ☒ Trustee pays IN FULL Secured Claims:

Cr. BANCO BILBAO VIZI Cr. BANCO BILBAO VIZI Cr.
 # 13249615113366 # 13249611389634 # _____
 \$ 4,941.44 \$ 3,472.73 \$ _____

3. ☐ Trustee pays VALUE OF COLLATERAL:

Cr. _____ Cr. _____ Cr. _____
 # _____ # _____ # _____
 \$ _____ \$ _____ \$ _____

4. ☐ Debtor SURRENDERS COLLATERAL to Lien Holder:

5. ☐ Other:

6. ☒ Debtor otherwise maintains regular payments directly to:

DORAL FINANCIAL ORIENTAL BANK & Cr.

C. PRIORITIES: The Trustee shall pay priorities in accordance with the law.
 11 U.S.C. § 507 and § 1322(a)(2)

D. UNSECURED CLAIMS: Plan ☐ Classifies ☒ Does not Classify Claims.

1. (a) Class A: ☐ Co-debtor Claims / ☐ Other: _____

☐ Paid 100% / ☐ Other: _____

Cr. _____ Cr. _____ Cr. _____
 # _____ # _____ # _____
 \$ _____ \$ _____ \$ _____

2. Unsecured Claims otherwise receive PRO-RATA disbursements.

OTHER PROVISIONS: (Executory contracts; payment of interest to unsecureds, etc.)

PV-\$18,239.00
 Creditor: Department of Education/Sally Mae (Student Loan) to be paid directly outside the Plan.
 Debtor(s) to provide ADEQUATE PROTECTION PAYMENTS to BBVA (3366) and BBVA (9634) thru the Trustee
 in the sum \$100.00 per month for the next eight months or until confirmation. Debtor(s) to provide auto
 insurance upon maturity to BBVA (3366) and BBVA (9634) thru GT Insurance Group, Inc.
 Late filed claims filed by creditors will receive no distribution.
 "Surrenders collateral": Shares/savings in any Cooperativa/Association/Bank. Debtor reserves the right to
 object claims after plan confirmation.
 * "Tax refunds will be devoted each year, as periodic payments, to the plan's funding until plan completion.
 The plan shall be deemed modified by such amount, without the need of further Court order. The debtor(s)
 shall seek court's authorization prior any use of funds."

Attorney for Debtor R. Figueroa Carrasquillo Law Office

Phone: (787) 744-7699

MONTANEZ MARTINEZ, RAMON ANTONIO
HC 03 BOX 7157
JUNCOS, PR 00777-9725

ENHANCED RECOVERY COMPANY, LLC
PO BOX 1967
SOUTHGATE, MI 48195-0967

ESQUILIN RODRIGUEZ, ZORAIDA
HC 03 BOX 7157
JUNCOS, PR 00777-9721

NCO FINANCIAL SYSTEMS
PO BOX 192478
HATO REY, PR 00918

R. Figueroa Carrasquillo
Law Office
PO Box 193677
San Juan, PR 00919-3677

ORIENTAL BANK & TRUST
PO BOX 1952
HUMACAO, PR 00792-1952

ASOCIACION EMPLEADOS ELA
PO BOX 364508
SAN JUAN, PR 00936-4508

SALLIE MAE
PO BOX 9500
WILKES BARRE, PA 18773

AT&T
5407 ANDREWS HIGHWAY
MIDLAND, TX 79706

BANCO BILBAO VIZCAYA ARGENTARIA
PO BOX 364745
SAN JUAN, PR 00936-4745

CONVERGENT OUTSOURCING
800 SW 39TH ST
RENTON, WA 98057

DEPARTMENT OF EDUCATION
PO BOX 4169
GREENVILLE, TX 75403-4169

DEPARTMENT OF EDUCATION
121 S 13TH ST
LINCOLN, NE 68508

DORAL FINANCIAL
1451 FD ROOSEVELT AVE
SAN JUAN, PR 00920